

U.S. Department of Commerce
Patent and Trademark Office
Office of Public Affairs
Washington, DC 20231
703/305-8341

Q. Todd Dickinson
Assistant Secretary of
Commerce and Commissioner
of Patents and Trademarks

Richard Maulsby
Director
Office of Public Affairs

Brigid Quinn
Deputy Director
Office of Public Affairs

Ruth Ann Nyblod
Managing Editor

The PTO TODAY online is published monthly by the Patent and Trademark Office for its customers. The magazine is intended to inform and bring into focus the views and actions of the PTO. Any product or service names that appear in the magazine are for informational purposes only and do not in any way constitute an endorsement by the PTO.

Comments and suggestions are welcome by e-mail to ruth.nyblod@uspto.gov.

THE MAGAZINE OF THE UNITED STATES PATENT & TRADEMARK OFFICE

ONLINE

PTO TODAY

March 2000
Volume 1, Number 3

INSIDE:

(click on story you wish to view)

Cover Story

**Secure and Confidential Access to Patent Application
Information Available on the Internet**

Feature Stories

Our Customers, Our Partners

Biotech and Pharmaceutical Customer Partnerships Improve Quality

Where Trademarks and Domain Names Intersect

**National Intellectual Property Law Enforcement
Coordination Council Holds Inaugural Meeting at
PTO**

Avoid Abandoning Patent Applications

Keep Your PTO Correspondence Address Current

Regular Columns and Announcements

Commissioner's Page

Biotech Patents

Faces of PTO

Richard J. Apley, New Director of the Office of Independent Inventor
Programs

Helpful Hints

To the Editor

From the Editor

Semiconductor Customer Partnership Spring Meeting



Q. Todd Dickinson
Assistant Secretary of Commerce and
Commissioner of Patents and Trademarks

Commissioner's Page

Welcome to the March 2000 edition of **PTO TODAY**. We have quite an informative collection of articles this month, which we hope will be a valuable resource for all of our readers.

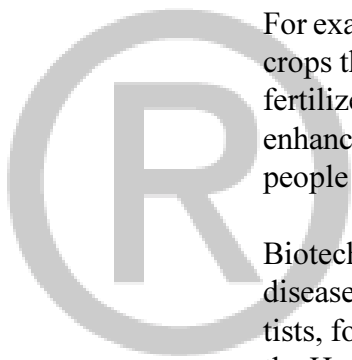
As I've mentioned in previous issues of **PTO TODAY**, the U.S. Patent and Trademark Office's workload is growing by leaps and bounds. One of the busiest areas in our office is Technology Center (TC) 1600, which handles patents in biotechnology, organic chemistry, and pharmaceuticals.

In fiscal year 1999, TC 1600 received more than 31,000 patent applications, a 15 percent increase from the previous year. Overall, patent filings in this area are up nearly 40 percent in the last six years.

The growth of these patent filings is due largely to innovations in biotechnology which have resulted in new areas of research and development, such as genomics and bioinformatics. Advances in these areas — which are reflected in our increased workload — have led to discoveries that would have been almost unimaginable only a few years ago.

One such area is the detection of genes that cause or increase the likelihood of contracting certain diseases. For example, researchers have discovered genes that may hold the key for finding cures to diseases such as Parkinsons, Alzheimers, and colon, breast, and ovarian cancers, which claim millions of lives every year.

The discoveries in agricultural biotechnology are also extraordinary.



For example, researchers have engineered genetically modified crops that are resistant to disease and less dependent on pesticides, fertilizers, and irrigation. These new crops offer real hope for enhancing food production and feeding the estimated 800 million people world-wide who are chronically undernourished.

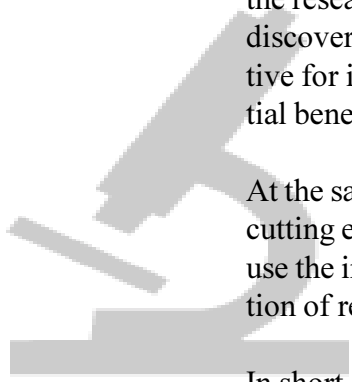
Biotechnology is also leading to cutting-edge discoveries where disease prevention and agricultural production converge. Scientists, for example, are now working to transfer the genetic code for the Hepatitis B vaccine into bananas, in order to provide an easy and affordable method for inoculating people in poor nations.

In short, biotechnology provides us with magnificent opportunities to feed the world's ever-increasing population and to treat — and even eliminate — deadly diseases.

Of course, these discoveries do not come about easily. The biotechnology industry is extremely research intensive, requiring significant investments of time and money.

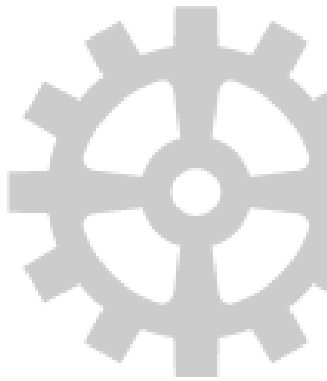
That is where patents play an invaluable role.

The financial incentive of patents is critical for attracting capital for the research that is necessary for developing and marketing these discoveries. Without patent protection, there would be little incentive for investors to risk their financing — and many of the potential benefits of biotechnology would never come to fruition.

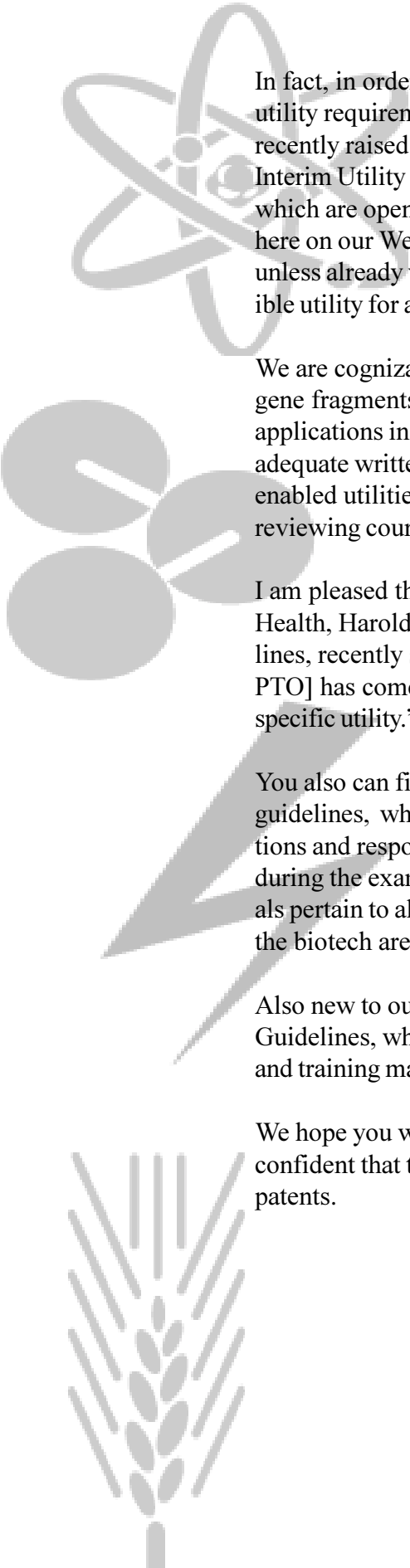


At the same time, patents also play a beneficial role by disclosing cutting edge scientific information whereby other researchers can use the information in a patent. This precludes expensive duplication of research efforts.

In short, the patent system fosters innovation by rewarding inventors for their discoveries for a limited time and by providing for the dissemination of potentially valuable scientific information to the public.



The patentability standard for biotech inventions that has guided the PTO since the Supreme Court's 1980 decision in ***Diamond v. Chakrabarty*** is that a product of nature, transformed by humans, can be patented if it is new, useful, and non-obvious, and if the patent application provides an adequate written description of the invention that enables a person skilled in the art to make and use it. Products produced from raw materials, giving these materials new forms, qualities, properties, or combinations, are patentable subject matter.



In fact, in order to ensure that patent applications comply with the utility requirement as enunciated by the Supreme Court, we have recently raised the bar on patentability through our new “Revised Interim Utility Examination Guidelines.” These revised guidelines, which are open for public comment through March 22 and available here on our Website, require patent applicants to explicitly identify, unless already well-established, the specific, substantial, and credible utility for all inventions, including genes and gene products.


We are cognizant of the concerns some people have about patenting gene fragments, and we continue to take steps to ensure that patent applications in these areas are meticulously scrutinized for an adequate written description, sufficiency of the disclosure, and enabled utilities, in accordance with the standards set forth by our reviewing courts.

I am pleased that outgoing director of the National Institutes of Health, Harold Varmus, who had been critical of our earlier guidelines, recently stated that he was “very pleased with the way [the PTO] has come closer to [NIH’s] position about the need to define specific utility.”

You also can find on our Website new training materials on these guidelines, which will assist individuals in drafting patent applications and responding to our office when utility issues are raised during the examination of a patent application. The training materials pertain to all technologies, but they include specific examples in the biotech area.


Also new to our Website are “Revised Interim Written Description Guidelines, which are open for public comment through March 22, and training materials on these guidelines.

We hope you will find these new resources helpful, and we are confident that they will help us ensure the issuance of high quality patents.



Secure and Confidential Access to Patent Application Information Now Available on the Internet

*by Laura Cannon Maddix, Search and Information
Resources Administration*




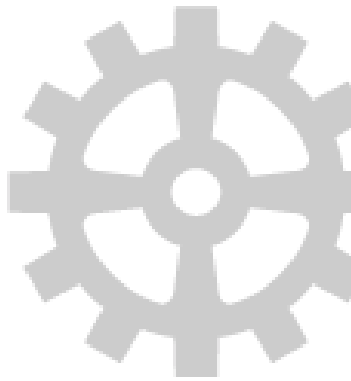
The U.S. Patent and Trademark Office recently launched the Patent Application Information Retrieval (PAIR) system. The PAIR system makes it possible for applicants, and their designated agents or attorneys, to securely obtain up-to-the-minute information on their pending applications with Public Key Infrastructure (PKI) digital authentication.

With a few quick mouse clicks, PAIR provides information on:

- whether a patent application filing date has been recorded;
- current status of the pending application;
- name of the examiner working on the application and examiner contact information;
- the patent application prosecution history; and
- other helpful information.

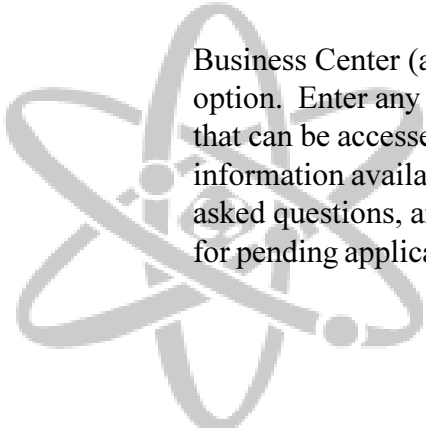
To take advantage of the PAIR system for pending patent applications:

- 
- A requestor must be either the applicant or an officially designated representative of the applicant.
 - The requestor must complete a Certificate Action Form. See the PTO Electronic Business Center Web site at <http://pto-ebc.uspto.gov> for the form and instructions.
 - The requestor must also have a customer number. Only those cases that are associated with the requestor's customer number can be accessed using PAIR. Request forms for a customer number are also available on the PTO Electronic Business Center Web site.
 - The requestor will need to install PKI software on their computer.



Pending application information cannot be accessed without the PKI software. Functions of the PKI software include encryption and a digital signature. This is done in order to ensure the confidentiality and integrity of the application data. The PTO will provide the PKI software free of charge to those individuals approved for use of the PAIR system.

To take a test drive of the PAIR system, go to PTO's Electronic



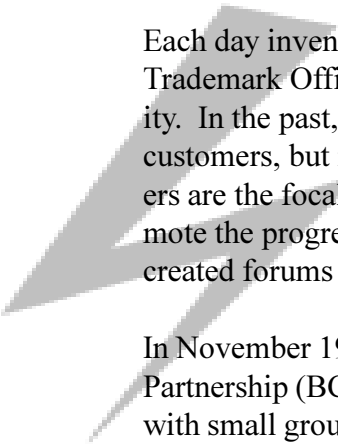
Business Center (at <http://pto-ebc.uspto.gov>), and select the PAIR option. Enter any patent number to see for yourself the information that can be accessed readily via the Web. There is also general information available on the PAIR system, answers to frequently asked questions, and instructions on how to request PAIR access for pending applications.



Our Customers, Our Partners

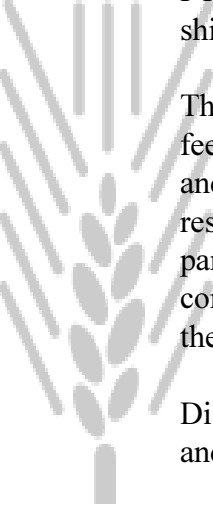
Biotech and Pharmaceutical Customer Partnerships Improve Quality

*by Lila Feisee, Brian Stanton, and Margaret Parr
Technology Center 1600*



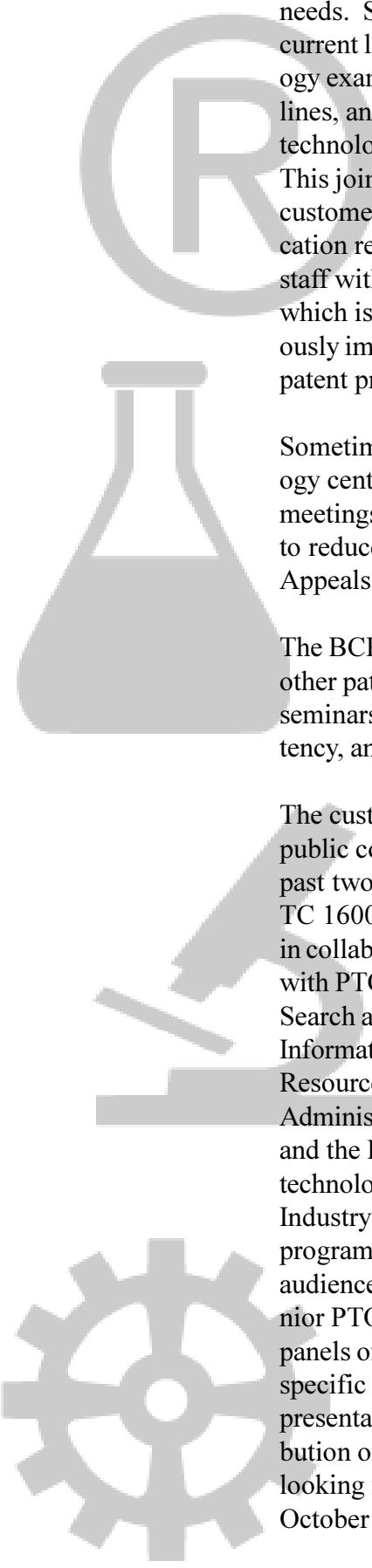
Each day inventors bring their newest ideas to the U.S Patent and Trademark Office hoping to gain patent protection for their creativity. In the past, this process was shrouded in mystery for our customers, but not any more. The PTO recognizes that its customers are the focal point of the agency's efforts and mission to promote the progress of science and useful arts. To this end, the PTO created forums for open and honest dialogue with its customers.

In November 1996, PTO established the Biotechnology Customer Partnership (BCP) to promote communication in an informal setting with small groups of biotechnology patent customers. Following the success of the BCP, customers asked for a partnership to address issues specific to the chemical/pharmaceutical arts, and the PTO established the Chemical/Pharmaceutical Customer Partnership (CPCP).



Through these quarterly partnership meetings, TC 1600 receives feedback regarding the impact of PTO initiatives on its customers and whether or not deployed initiatives have had the intended results. A variety of interested members of the public attend the partnership meetings, including representatives from the licensing community, the biotechnology industry, government agencies, and the biotechnology patent bar.

Discussions during these sessions address not only updates on legal and operational issues from PTO, but also customer concerns and



needs. Senior PTO staff present information on PTO budget issues, current legislation affecting the PTO, fees, filing trends, biotechnology examining group data, utility and written description guidelines, and other topics of interest. Customer presentations provide technology center personnel with their viewpoints and perspectives. This joint awareness cultivates open dialog that provides enhanced customer service and creates greater efficiency in the patent application review process. In addition, participants provide TC 1600 staff with general commentary, suggestions, raw data, and feedback which is important to the technology center's efforts to continuously improve the quality of biotechnology and pharmaceutical patent products and services.

Sometimes customer feedback reaches beyond a specific technology center. For example, PTO took suggestions from partnership meetings and implemented appeals conferences corps-wide in order to reduce the number of cases that go to the Board of Patent Appeals and Interferences.

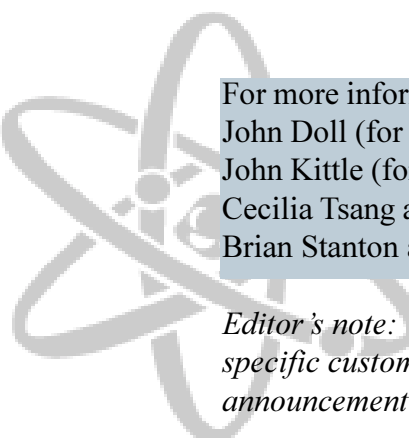
The BCP also sponsors a monthly lecture series for examiners and other patent professionals. These technical, legal, and business seminars help participants gain knowledge, experience, competency, and insight in areas important to the patent community.

The customer partnership meetings, however, are just one means of public communication between TC 1600 and its customers. For the past two years, TC 1600/2900 in collaboration with PTO's Search and Information Resources Administration and the Biotechnology

Third Annual Open House
Sponsored by PTO and BIO
October 18, 2000

For further information contact
John Doll at (703) 308-1123
or via e-mail at (john.doll@uspto.gov).

Industry Organization has held two widely attended open house programs. The open house provides an opportunity for even wider audiences to hear from the members of the PTO community. Senior PTO speakers update the participants on current issues and panels of Supervisory Patent Examiners provide technology-specific information and prosecution tips. Collectively, these presentations have proven to be an effective means for wide distribution of PTO examination practice and procedures. PTO is looking forward its third annual TC 1600/2900 Open House on October 18, 2000.



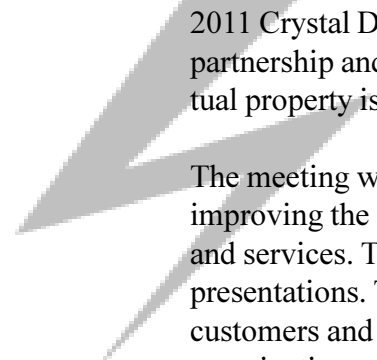
For more information regarding these partnerships, please contact John Doll (for BCP) at (703) 308-1123 (john.doll@uspto.gov); John Kittle (for CPCP) at (703) 308-0193 (john.kittle@uspto.gov); Cecilia Tsang at (703) 308-0254 (cecilia.tsang@uspto.gov), or Brian Stanton at (703) 308-2801 (brian.stanton@uspto.gov).

*Editor's note: PTO has or will be establishing other technology-specific customer partnerships. Look for information, like the announcement below, in future issues of **PTO TODAY**.*




Semiconductor Customer Partnership Spring Meeting

The spring meeting of the Semiconductor Customer Partnership will be held on Wednesday, April 5, 2000, from 9:00 a.m.–12:00 noon and 1:30-3:30 p.m. in Crystal Park 1, Suite 819, located at 2011 Crystal Drive in Arlington, Virginia. Participation in the partnership and the meeting is open to anyone interested in intellectual property issues facing the semiconductor industry.



The meeting will provide an opportunity for exchange of ideas for improving the quality of the examination process and PTO products and services. The morning session will be devoted to customer presentations. The afternoon session is intended as a forum for customers and examiners to discuss concerns relating to the patent examination process in the semiconductor workgroup. Details of the meeting agenda will be available the end of March.



For further information about the meeting or the partnership in general, please contact Rolf Hille (rolf.hille@uspto.gov) at 703-306-3431 or Tom Thomas (tom.thomas@uspto.gov) at 703-308-2772. If you are interested in attending the meeting, please contact Julie Chapin (julie.chapin@uspto.gov) at 305-4204.

Where Trademarks and Domain Names Intersect

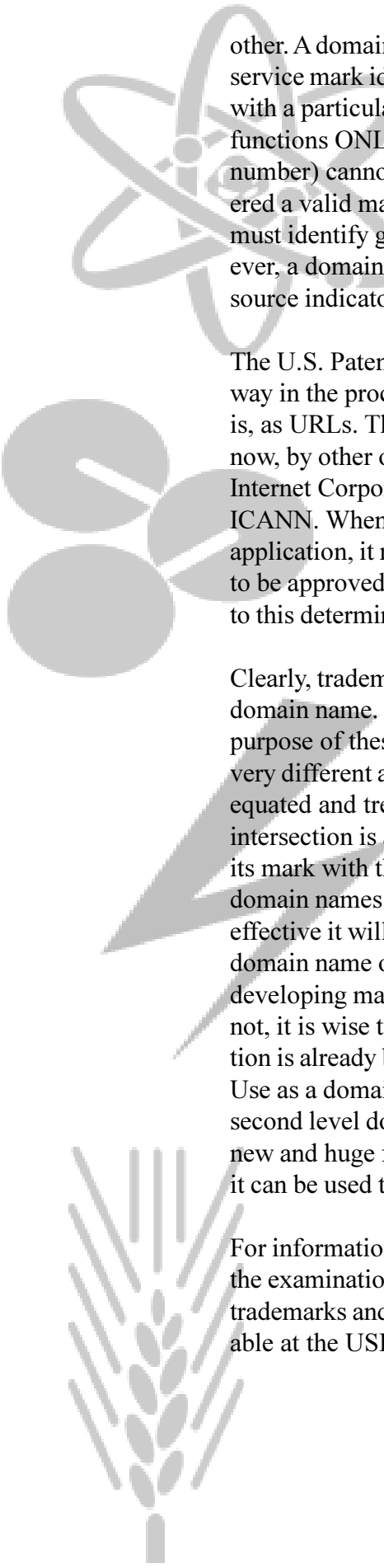
*by Jessie Marshall, Office of the Assistant Commissioner
for Trademarks*

The domain name system was developed to make the World Wide Web user-friendly for those who wanted to construct a Web site or home page. In order to have a site “on” the World Wide Web an entity--whether an individual, organization, institution, government, or business--must be connected to a server, either their own or someone else’s like America Online®. Once connected to a server, an entity can connect to the World Wide Web using an I.P. (Internet Protocol) address. This is not an individual’s simple e-mail address, but rather the IP address is, initially, a string of numbers that identifies an entity’s location on the World Wide Web and, in turn, on the Internet. However, it became apparent quite early in the evolution of the World Wide Web, that people had trouble remembering long number strings (usually 10 numbers in length), so these numbers were translated into words - the words of domain names.

Domain names were divided into categories for easier administration - .COM, .ORG, .NET, .EDU, .GOV, and .MIL. These became known as top level domains or TLDs. It was also decided that the categories of .COM, .ORG and .NET could and should be administered by private organizations. So for most entities, the selection of a TLD was as easy as checking off the appropriate box when registering their domain name with the registry organization. The second level domain (the word or words to the left of the TLD) became a critical choice. Understandably, a commercial entity would want to use a word or words that the public already recognized and associated with that entity. What would make more sense than using its already well-established trademark or service mark as its second level domain? And that’s when the problems started.

So, domain names are merely easy to remember replacements for number strings. Their purpose is to identify a location on the World Wide Web of a particular computer. Any other purpose or significance attributed to them has nothing to do with their technical origins as location identifiers. On the other hand, the purpose of a service mark is to identify and distinguish the services of one entity from the services of others and to indicate the source of the services. It has nothing to do with identifying the location of that entity on the World Wide Web.

The purposes of domain names and services have a very small intersection. In fact, their primary purposes are antithetical to each



other. A domain name identifies a specific location in cyberspace. A service mark identifies services and indicates that they originate with a particular entity. Under trademark law, a designation that functions ONLY as a locator (such as an address or telephone number) cannot be registered as a trademark. In order to be considered a valid mark, the designation must be used as a trademark, must identify goods and services and indicate their source. However, a domain name can do both - serve as a locator as well as a source indicator.

The U.S. Patent and Trademark Office does not participate in any way in the process of registration of domain names as locators, that is, as URLs. That is done by Network Solutions, Inc. (NSI) and, now, by other organizations cleared to perform this function by the Internet Corporation for Assigned Names and Numbers, or ICANN. When a domain name is the subject of a service mark application, it must comply with established trademark law in order to be approved for registration. Its function as a URL is immaterial to this determination.

Clearly, trademark law must be considered when developing a domain name. However, it must be remembered that the spheres of purpose of these two mechanisms (for want of a better word) are very different and only have a slim intersection. They cannot be equated and treated the same way for both purposes. But the intersection is an important one. A trademark owner should register its mark with the USPTO whether or not it is going to be used in domain names. The earlier a mark can be registered, the more effective it will be in ensuring the ability to use that designation as a domain name or to stop others from using it in their domain. Before developing marks, whether they are going to be domain names or not, it is wise to search the World Wide Web to see if that designation is already being used by someone else in their domain name. Use as a domain name can cause problems to a later user of the second level domain as a trademark. The domain name registry is a new and huge factor to be considered when developing marks, but it can be used to your advantage if analyzed and used wisely.

For information concerning the policies of the USPTO regarding the examination of domain names presented for registration as trademarks and service marks, see Examination Guide 2-99 available at the USPTO web site (www.uspto.gov).

National Intellectual Property Law Enforcement Coordination Council Holds Inaugural Meeting at PTO

by Vicki Allums, Office of Legislative and International Affairs

Commissioner Q. Todd Dickinson chaired the inaugural meeting of the National Intellectual Property Law Enforcement Coordination Council on January 21, 2000, at the U.S. Patent and Trademark Office. President Clinton signed into law the Treasury/Postal appropriations bill on September 29, 1999, which contained a provision creating the first inter-agency group specifically charged with the mission of “coordinating domestic and international intellectual property law enforcement among federal and foreign entities.”

The Council’s statutorily-designated members are: the Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, the Assistant Attorney General (Criminal Division), the Under Secretary of State for Economic, Business and Agricultural Affairs, the Deputy United States Trade Representative, the Commissioner of Customs, and the Under

Secretary of Commerce for International Trade. The Council is also required to consult with the Register of Copyrights on copyright and related rights and matters. Commissioner Dickinson and Deputy Attorney General Robinson co-chair the Council.

The NIPLECC members began formulating a mission and activities for the Council, which will include working with intellectual property owners on such challenging and cutting-edge issues as enforcing intellectual property rights on the Internet. Other Council activities will include the coordination of U.S. Government technical assistance in the intellectual property enforcement area worldwide to ensure that U.S. Government funding dollars are wisely



Photo: Dennis Forbes

Left to right: Timothy J. Hauser, Deputy Under Secretary of Commerce for International Trade; Alan P. Larson, Under Secretary of State for Economic, Business, and Agricultural Affairs; James K. Robinson, Assistant Attorney General, Criminal Division; Q. Todd Dickinson, Assistant Secretary of Commerce and Commissioner of Patents and Trademarks; Richard Fisher, Deputy United States Trade Representative; and Raymond Kelly, The Commissioner of Customs.

spent and have some measurable impact on the enforcement regimes of developing countries.

Faces of PTO

Richard J. Apley, a long-time employee of the PTO, is the new director of the Office of Independent Inventor Programs (OIIP). Established in March 1999, OIIP aims to meet the special needs of independent inventors.



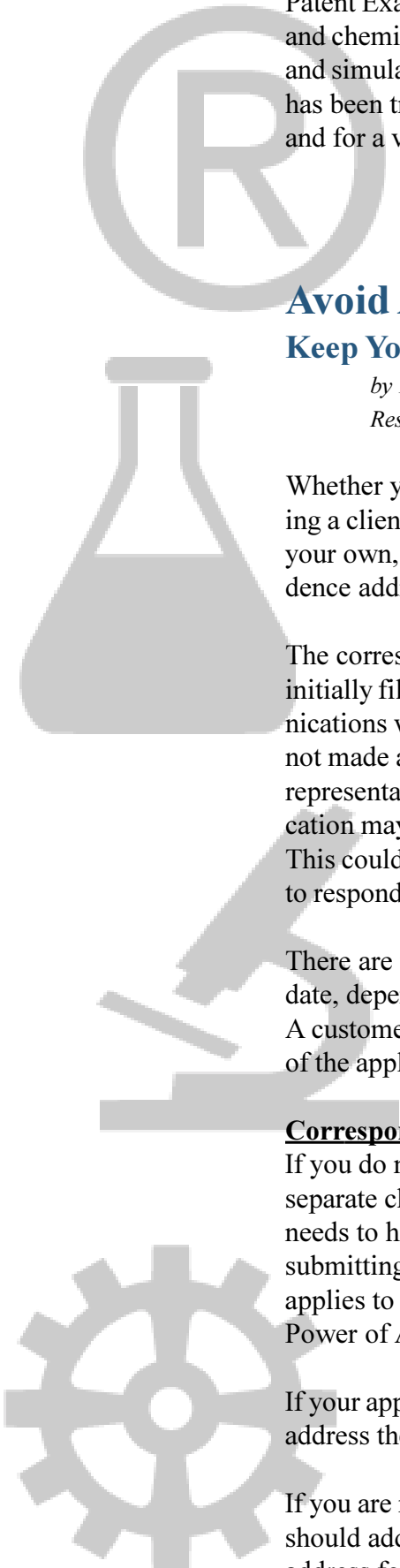
Photo: Frankie Cox

The Office of Independent Inventor Programs, which was formerly headed by Donald G. Kelly, establishes new mechanisms to better disseminate information about the patent and trademark processes and fosters regular communication between the PTO and independent inventors. A Web site offers educational and outreach programs for independent inventors, covering all aspects of the patent and trademark process, including how to file an application and what is patentable. The Web site link for OIIP's Inventors Resources is <http://www.uspto.gov/web/offices/com/iip/index.htm>. The OIIP also runs training programs and maintains a strong presence at independent inventor conferences by exhibiting and participating in seminars.

"I am extremely pleased that Richard Apley has accepted this important position," noted Commissioner Dickinson. He went on to say, "It comes at a most opportune time. America's independent inventors are a valuable intellectual and economic resource and Richard Apley's tremendous experience and leadership in this area are wonderful assets as we work with independent inventors to nurture this boundless creativity by simplifying their access to our patent system."

In fiscal year 1999, America's independent inventors filed about 15 percent of all the patent applications received by the agency.

Apley is a native of Brooklyn, New York. He received a bachelor's degree in Civil Engineering from Rensselaer Polytechnic Institute in 1966 and began his career at the Patent and Trademark Office immediately thereafter. In 1974 Apley received a Juris Doctor Degree from the University of Baltimore. He became a Supervisory



Patent Examiner in 1982 and has supervised art units in mechanical and chemical engineering, computer controlled teaching apparatus and simulators, biomedical and surgical devices and methods. Apley has been training coordinator, lecturer, instructor, and mentor on and for a variety of PTO issues and programs.

Avoid Abandoning Patent Applications... Keep Your PTO Correspondence Address Current

*by Laura Cannon Maddix, Office of Search and Information
Resources Administration*

Whether you are a company, an attorney, or patent agent representing a client, or an applicant who is prosecuting an application on your own, it is extremely important to keep your PTO correspondence address up-to-date.

The correspondence address that you provide to the PTO when you initially file an application is the address to which all office communications will be sent. If that address should change, and PTO is not made aware of the change by the patent applicant or their legal representative, official PTO correspondence regarding your application may not reach you in a timely manner or, worse, not at all. This could result in the abandonment of your application for failure to respond to an office action in a timely manner.

There are two ways to keep your correspondence address up-to-date, depending upon whether or not you have a customer number. A customer number is a unique identifier that is associated with all of the applications you or your company or law firm handle.

Correspondence Updates Without a Customer Number

If you do not have a customer number, you will need to send a separate change of address letter for each application or patent that needs to have the correspondence address updated. This process of submitting separate communications for each application also applies to requests for Power of Attorney, and for revocation of Power of Attorney requests.

If your application is currently under examination, you should address the correspondence update letter to the examiner.

If you are not sure if your application is under examination, you should address the correspondence update letter to the general PTO address for patent-related correspondence:



Commissioner of Patents and Trademarks

Attn: Patent Correspondence
Address Change Request Processing
Washington, D.C. 20231

If you only have one or a handful of applications pending at the PTO, this is not a difficult process. However, if you have a large number of applications pending before the office, this can be a very cumbersome process. In these cases, you will find it much easier to update your correspondence address if you have a customer number.

Correspondence Address Updates With a Customer Number

A customer number allows you to associate all of the applications and patents handled by you or your legal representatives to a unique identifier. To update all the applications and patents associated with your customer number, only one form needs to be submitted for a correspondence address change.

The correspondence address update form can be obtained electronically through the PTO's Electronic Business Center at <http://pto-ebc.uspto.gov>. Once in the Electronic Business Center, select the "DOWNLOADS" option, and then the "Request for Customer Number Data Change" form.

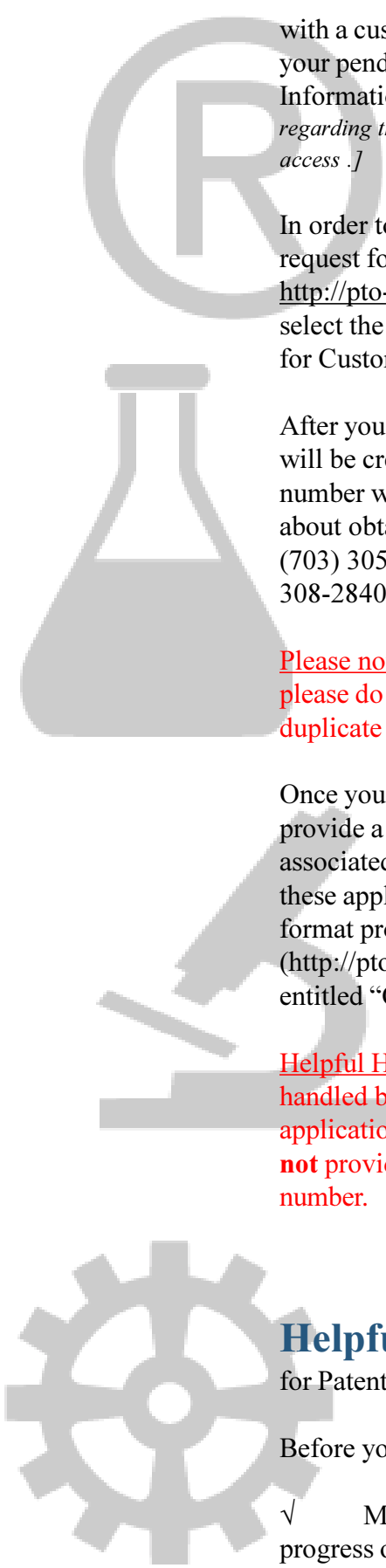
This form can also be used to add or delete attorneys who are also associated with the customer number. This feature is particularly useful for companies or law offices that need to update the customer number to associate new attorneys or agents at the firm, and to remove attorneys or agents who are no longer with the firm.

Please note that when a new application is filed, all attorneys or agents associated with your customer number will be automatically added as authorized practitioners for that application.

If you also want to update addresses for receipt of maintenance fee notices, you can also associate your customer number with those patent numbers for which you are responsible. This will ensure that any correspondence relating to patents that you are maintaining is also sent to the proper address.

How to Request a Customer Number

If you are responsible for a large number of applications and/or patents, clearly it is very advantageous to have a customer number. In addition to making it much easier to change the correspondence address and update attorneys who are associated with applications,



with a customer number, you can securely access information on your pending applications via the Web with the Patent Application Information Retrieval (PAIR) system. *[See related article on page 5 regarding the benefits of PAIR and for information on how to obtain PAIR access .]*

In order to request a customer number, you can obtain an electronic request form through the PTO's Electronic Business Center at <http://pto-ebc.uspto.gov>. Once in the Electronic Business Center, select the "DOWNLOADS" option, and then select the "Request for Customer Number " form.

After you have filled out and mailed the form, a customer number will be created for you, and a letter designating your customer number will be mailed to you. Should you have any questions about obtaining a customer number, please contact Loren Nigro at (703) 305-3028. Request forms can also be faxed to him at (703) 308-2840.

Please note: If you opt to fax your request for a customer number, please do not subsequently mail the same request, as it may result in duplicate customer numbers being assigned to you.

Once you have been assigned a customer number, you can then provide a listing of all applications and patents that should be associated with that customer number. If you prefer to provide these application and patent numbers via diskette, please use the format provided on the PTO's Electronic Business Center Web site (<http://pto-ebc.uspto.gov>), under the DOWNLOADS selection, entitled "Customer Number Update Template".

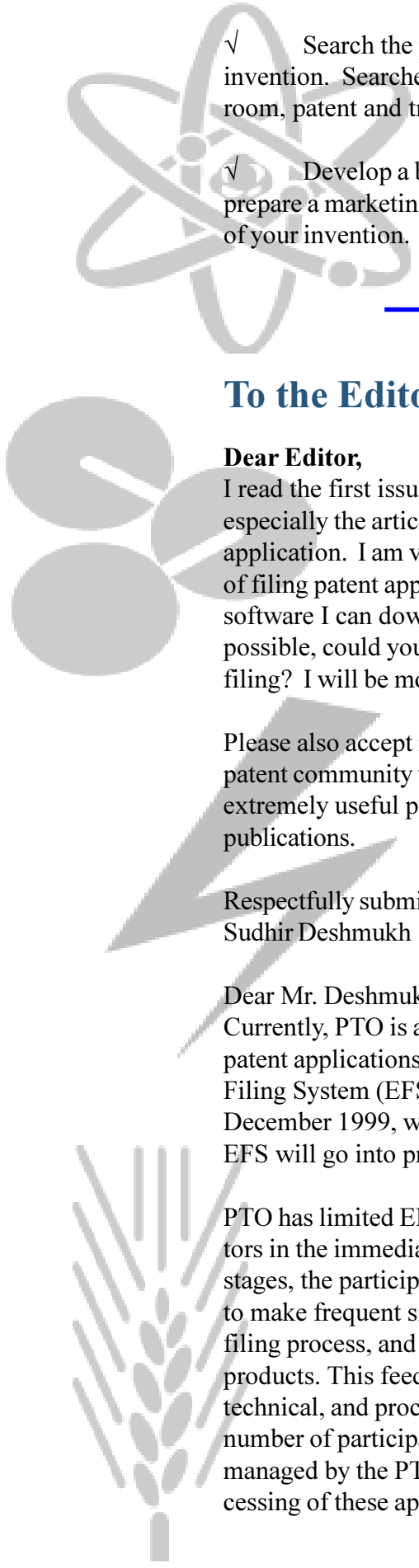
Helpful Hint: If you have some applications and/or patents that are handled by an outside counsel, and correspondence for these applications should be directed to the outside counsel, please **do not** provide these numbers for association with your customer number.

Helpful Hints

for Patent Applicants

Before you apply for a patent:

- ✓ Make a record of your idea. Keep a working record of progress on development of your invention.

- 
- √ Search the pertinent prior literature in the field of your invention. Searches can be performed at the PTO's public search room, patent and trademark depository libraries, or on the Internet.
 - √ Develop a business plan. Understand your financial needs, prepare a marketing scheme, and investigate the financial soundness of your invention.
-

To the Editor

Dear Editor,

I read the first issue of the on-line PTO TODAY with great interest, especially the article on the electronic filing of the first utility patent application. I am very much interested in reviewing the feasibility of filing patent applications electronically. I understand that there is software I can download from the USPTO Web site. Is that so? If possible, could you please send me information on the electronic filing? I will be most obliged. Thanks in advance.

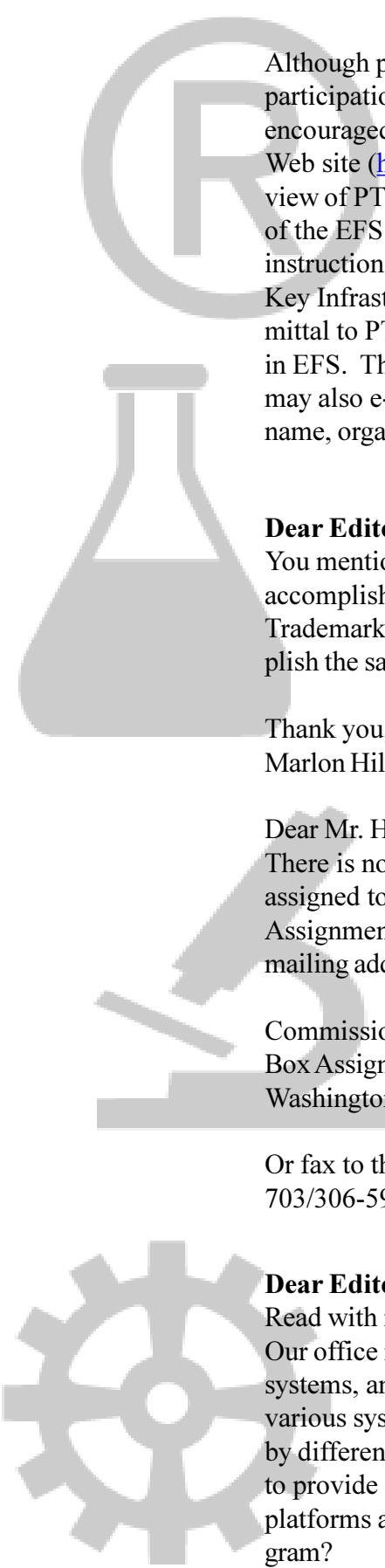
Please also accept my hearty congratulations for providing the patent community with a great online, information-filled, and extremely useful publication. I look forward to reading the future publications.

Respectfully submitted,
Sudhir Deshmukh

Dear Mr. Deshmukh,

Currently, PTO is accepting a controlled number of new utility patent applications of limited complexity as part of the Electronic Filing System (EFS) pilot program. This program, started in December 1999, will run through November 2000, after which the EFS will go into production mode.

PTO has limited EFS pilot participation to several firms and inventors in the immediate Washington, DC area. During the early pilot stages, the participant's proximity to PTO allows EFS project staff to make frequent site visits to answer EFS questions, assist in the filing process, and gather feedback on the effectiveness of the EFS products. This feedback will allow the PTO to work out legal, technical, and processing issues of electronic filing. Both the number of participants and the amount of applications filed are managed by the PTO to closely monitor the submission and processing of these applications during the pilot program.



Although pilot participation is limited, PTO expects to expand participation after August 2000, and interested parties are encouraged to review the PTO Electronic Business Center's Web site (<http://pto-ebc.uspto.gov/>), which provides an overview of PTO's electronic commerce activities and the specifics of the EFS pilot program. In particular, the Web site provides instructions for obtaining both a digital certificate and the Public Key Infrastructure (PKI) software, which ensure secure transmittal to PTO and are mandatory prerequisites for participation in EFS. Those interested in participating in the pilot program may also e-mail the PTO at efs@uspto.gov, providing a contact name, organization, phone number, and e-mail address.

Dear Editor,

You mentioned that a change in the name of an applicant may be accomplished by a written request [January Helpful Hints for Trademark Applicants]. Is there a particular form online to accomplish the same? What is the address for the Assignment Division?

Thank you,
Marlon Hill

Dear Mr. Hill,

There is no form. Send the request to the examining attorney assigned to the case. There must be an assignment recorded in our Assignment Branch in order for the request to be honored. The mailing address is:

Commissioner of Patents and Trademarks
Box Assignment
Washington, DC 20231

Or fax to the Patent and Trademark Assignment System
703/306-5995 [see p 19 February PTO TODAY].

Dear Editor,

Read with interest your article on electronic filing of applications. Our office is currently evaluating various data base management systems, and one of the questions that has come up is how do the various systems interact in the importing/exporting of data entered by different software? We are investigating systems which purport to provide a fully integrated version of the USPTO forms. What platforms are the USPTO using in the electronic filing pilot program?



Thank you for your attention to this matter.

Theresa C. Walker
NASA Langley Research Center

Dear Ms. Walker,

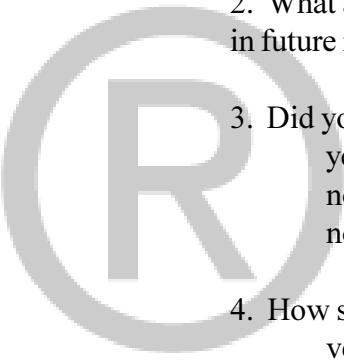
The PTO is in the process of releasing a Request for Agreements (RFA) to facilitate opportunities for partnerships with industry to support electronic filing of patent applications and related correspondence. Through this initiative, we plan to work with the database and tool vendors to define and incorporate the standards supporting the creation of electronic documents for communications with the PTO. The PTO's approach is based on the use of documents formatted using standard eXtensible Markup Language (XML). The specifications for a number of types of XML documents have been defined and are currently being evaluated through various pilot and prototyping efforts being conducted by the office. Our goal is to partner with industry so current and new systems used by our customers are capable of generating and incorporating information in formats compatible with our Electronic Filing System.

From the Editor

Since launching PTO TODAY online earlier this year, we have received many valuable comments from our readers. A print version will be coming out this spring, and your feedback is critical. Only you can tell us how the publication satisfies your need for information as well as what areas of the magazine might be improved.

The following questionnaire will appear from time to time in PTO TODAY. Please take a few moments to respond to the questions and return them either by e-mail to ruth.nyblod@uspto.gov or by mail to Editor, PTO TODAY, U.S. Patent and Trademark Office, Office of Public Affairs, Washington, DC 20231.

1. What information, specifically, did you find most useful in this issue of PTO TODAY?



2. What additional content/information would be helpful to include in future issues?

3. Did you find the information timely?

yes

no

not sure

4. How satisfied are you with a monthly online publication?

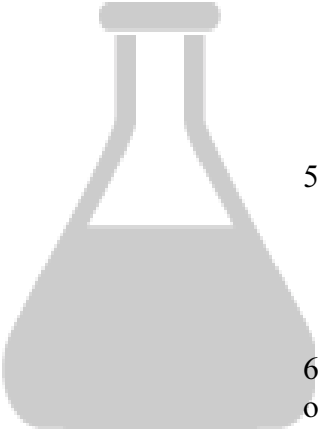
very dissatisfied

dissatisfied

neither dissatisfied nor satisfied

satisfied

very satisfied



5. How often do you access PTO TODAY online?

1-2x/month

almost never

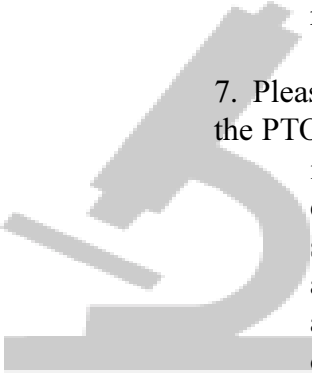
never

6. Would you like to be/remain on our mailing list for future copies of PTO TODAY in print?

yes

no

not sure



7. Please select the category which best describes your role with the PTO.

independent inventor

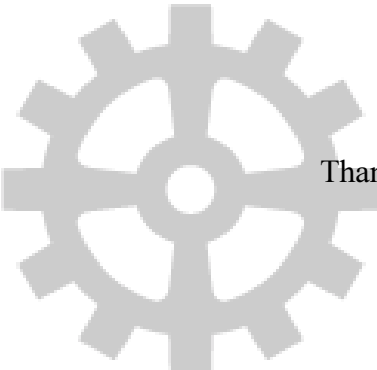
corporate inventor

small business owner

attorney

agent

other



8. Is there someone else you know who should be receiving PTO TODAY?

name

address

e-mail

Thank you for responding to our questionnaire.

###